

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Planning Officer recommendation:	CC	24.04.2025
EIA Development - Notify Planning Casework Unit of Decision	N/A	
Team Leader authorisation / sign off:	AN	24/4/25
Assistant Planner final checks and despatch:	ER	25/04/25

Application: 24/01895/FULHH **Town / Parish:** Little Clacton Parish Council

Applicant: Mr Russell Oldham

Address: Crossways Thorpe Road Little Clacton

Development: Householder Planning Application - New access and erection of a triple garage (following approval of 22/02101/FULHH)

1. Town / Parish Council

Little Clacton Parish Council Object to new access - splays

2. Consultation Responses

ECC Highways Dept 07.02.2025

The information submitted with the application has been assessed by the Highway Authority and conclusions have been drawn from a desktop study with the observations below based on the submitted material. A previous site visit was undertaken in conjunction with a previous planning application. It is noted that the proposal will also see the introduction of a new garage to the property, while adequate parking at the front of the property will be retained. The property is located on Thorpe Road, classed as a Secondary Distributer in the County's Route Hierarchy, as such planning permission is required for the new vehicular access. In addition, an application to Essex Highways must be made to introduce a new vehicular access before any works to the access are undertaken, considering these factors:

From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority subject to the following mitigation and conditions:

1. There should be no obstruction above ground level within a 2.4-metre-wide parallel band visibility splay as measured from and along the nearside edge of the carriageway across the entire site frontage. Such vehicular visibility splays shall be provided before the new vehicular access is first used by vehicular traffic and retained free of any obstruction at all times.

Reason: To provide adequate inter-visibility between users of the access and the public highway in the interests of highway safety in accordance with policy DM1.

2. As indicated on drawing no. LS-0095-200 Rev. C, and prior to the first use of the new vehicular access, a size 5, (8m x 8m) vehicular turning facility, shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose.

Reason: To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety in accordance with policy DM1.

3. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1.

4. Prior to occupation of the development the vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 3.6 metres (equivalent to four drop kerbs), shall be retained at that width for 6 metres within the site and shall be provided with an appropriate vehicular crossing.

Reason: to ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety in accordance with policy DM1.

5. At no point shall gates be provided at the vehicular access. The access shall remain open and free for use thereafter.

Reason: To give vehicles using the access free and unhindered access to and from the highway in the interest of highway safety and in accordance with policy DM1.

6. Any new/ replacement boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.

Reason: To ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the highway and in the interests of highway safety and in accordance with Policy DM1.

7. Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided clear of the highway.

Reason: To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety in accordance with policy DM1.

8. Prior to the commencement of any alterations to the drop kerb the applicant/agent must comply with County Councils Vehicle Crossing criteria, details via the link: <https://www.essexhighways.org/for-residents/vehicle-crossings-dropped-kerbs/vehicle-crossing-criteria> and a formal application must be made to Essex Highways via the website.

Reason: To ensure the necessary permissions are obtained from the Highway Authority and the proposal complies with the set criteria and in accordance with Policy DM1.

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance and National Planning Policy Framework.

Informative:

i) All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details must be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org

ii) The Initial Vehicle Crossing application costs £203.47. The fee is non-refundable and covers a site visit, a search of underground apparatus (i.e. gas, electric) and administration processes. If your application is approved an application to Implement by Road Opening Notice costs £150.00 and is payable by your chosen contractor. The vehicle crossing (dropped kerb) fees are non-Vatable.

iii) Under Section 23 of the Land Drainage Act 1991, prior written consent from the Lead Local Flood Authority (Essex County Council) is required to construct any culvert (pipe) or structure (such as a dam or weir) to control or alter the flow of water within an ordinary watercourse. Ordinary watercourses include ditches, drains and any other networks of water which are not classed as Main River.

If you believe you need to apply for consent, further information and the required application forms can be found at www.essex.gov.uk/flooding. Alternatively, you can email any queries to Essex County Council via watercourse.regulation@essex.gov.uk

Planning permission does not negate the requirement for consent, and full details of the work you propose will be required at least two months before you intend to start.

iv) The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

3. **Planning History**

00/01226/FUL	Proposed porch	Approved	12.09.2000
95/00124/FUL	(Crossways Garden Centre, Thorpe Road, Little Clacton) New vehicular access	Approved	28.09.1995
98/00423/FUL	Erection of protective canopy over existing garden centre display area	Approved	18.05.1998
05/02134/FUL	Extension and detached garage/gym	Refused	15.02.2006
06/00349/FUL	Extension and detached garage/gym	Approved	25.04.2006
16/00912/FUL	Erection of 5 No. dwellings with associated garaging and ancillary works.	Approved	14.10.2016
19/01598/FUL	Erection of 21 houses and associated development following demolition of existing buildings.	Approved	26.07.2021
20/30124/PREAPP	Proposed development of residential park homes for occupation by older persons with access off of Thorpe Road.		20.10.2020

22/01050/FUL	Proposed erection of 6 no. dwellings.	Approved	30.09.2022
22/02101/FULHH	Proposed erection of detached garage.	Approved	07.02.2023
23/00506/DISCON	Discharge of conditions 3 (Hard and soft landscaping scheme) and 5 (Tree protection document) of application 22/01050/FUL.	Approved	26.04.2023
24/01187/VOC	Application under Section 73 of the Town and Country Planning Act for Variation of Condition 2 (Approved Plans) of application 22/01050/FUL to enable some changes to the residential units for plots 1, 2 and 3.	Approved	15.10.2024

4. **Status of the Local Plan**

Planning law requires that decisions on applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004). This is set out in Paragraph 2 of the National Planning Policy Framework (the Framework). The 'development plan' for Tendring comprises, in part, Sections 1 and 2 of the Tendring District Local Plan 2013-33 and Beyond (adopted January 2021 and January 2022, respectively), supported by our suite of evidence base core documents (<https://www.tendringdc.uk/content/evidence-base>) together with any Neighbourhood Plans that have been made and the Minerals and Waste Local Plans adopted by Essex County Council.

5. **Neighbourhood Plans**

A neighbourhood plan introduced by the Localism Act that can be prepared by the local community and gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan to promote development and uphold the strategic policies as part of the Development Plan alongside the Local Plan. Relevant policies are considered in the assessment. Further information on our Neighbourhood Plans and their progress can be found via our website <https://www.tendringdc.uk/content/neighbourhood-plans>

At the time of writing, there are no draft or adopted neighbourhood plans relevant to this site.

6. **Relevant Policies / Government Guidance**

National:

National Planning Policy Framework 2025 ([NPPF](#))

National Planning Practice Guidance ([NPPG](#))

Local:

Tendring District Local Plan 2013-2033 and Beyond North Essex Authorities' Shared Strategic Section 1 (adopted January 2021)

SP1 Presumption in Favour of Sustainable Development

SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

CP2 Improving the Transport Network

Supplementary Planning Documents

[Essex Design Guide](#)

7. Officer Appraisal (including Site Description and Proposal)

Application Site

The application site serves a detached two-storey dwelling, located towards the east of Thorpe Road, within the settlement development boundary of Clacton. The site is well set back on its plot with a large parking area to the front of the dwelling. The site is largely shielded by the existing vegetation along the site boundary.

Proposal

This application seeks permission for a new vehicle access and the erection of a triple garage (following approval of 22/02101/FULHH)

Amended plans have been received following the original submission of this application amending the proposed location of the garage, for which approval has been granted under application reference 22/02101/FULHH. The proposed access point remained unchanged and therefore no further consultation with ECC highways is required as no objection to the proposed access has been raised by the highway authority, and the original permission for the garage in this location is still live.

Relevant site history

22/02101/FULHH approved a triple garage of the same design and proportions sited in the south west corner of the site with access gained from the driveway serving six dwellings approved under 22/01050/FUL (varied by 24/01187/VOC).

Assessment

Design and Appearance

Paragraph 131 of the NPPF states: The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 135 adds planning decisions should ensure that developments are visually attractive as a result of good architecture, and establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

Local Plan Policy SP7 states that all new development should respond positively to local character and context to preserve and enhance the quality of existing places and their environs. Policy SPL3 seeks to ensure all new development makes a positive contribution to the quality of the local environment and protect or enhance local character. The following criteria must be met: new alterations are well designed and maintain or enhance local character and distinctiveness; and the development relates well to its site and surroundings particularly in relation to its siting, height, scale, design and materials.

The proposed garage will be located to the southwest corner to the front of the site and will therefore be visible to the public views of the area. However, the site benefits from significant hedging to its front boundary, reducing the proposals visibility. The exterior walls will be finished in black boarding over a brickwork plinth with a pitched roof design finished in marley modern roof tiles. The garage is of an acceptable design and appearance in relation to the host dwelling and its locality.

The garage will measure 8.9 metres wide by 7.9 metres deep with a maximum height of 4.9 metres. The application site benefits from a large frontage and is able to accommodate for a proposal of this

size and scale whilst retaining adequate space as to not appear overly cramped. The garage is therefore considered to be of an acceptable size and scale.

The proposed new access is located to the front of the site and will require the removal of approximately 6 metres of hedgerow, whilst the removal of this established hedgerow has harmful impacts on the visual amenities of the area, the harm is not considered to be so significant as to justify refusing planning permission. Adequate hedgerow is retained and therefore the proposal is deemed acceptable.

A brick wall measuring 1.8 metres in height and 10.4 metres in length has also been proposed to the front of the site at the north west corner. This space currently serves the existing vehicular access to the site. The proposed brick wall serves to close off the existing access point and provide an adequate boundary treatment to separate the host site from the surrounding approved developments and access road. The proposed wall is considered to be of an acceptable design and appearance with no significant harmful impacts on the visual amenities of the area.

Residential Amenities

The NPPF, Paragraph 135, states that planning should always seek to secure a high standard of amenity for all existing and future occupants of land and buildings. In addition, Policy SP7 of the adopted local plan states that all development should protect the amenity of existing and future residents and users with regard to noise, vibration, smell, loss of light, overbearing and overlooking. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022).

The proposed garage is of a single storey nature and therefore poses no significant risk of overlooking or loss of privacy.

The garage is located an adequate enough distance from any neighbouring dwelling as to not have any impact on the loss of light.

The garage is of a single storey nature and is located an adequate distance from any neighbouring dwellings as to have no significant harmful effects on the loss of outlook.

The proposed new access has no harmful impacts on residential amenities.

The proposed wall is not located immediately adjacent to any neighbouring dwelling and has no impact on residential amenities.

Highway Safety

Essex County Council's Highway Authority have been consulted on this application, their comments have been provided in full above and summarised here.

The highway Authority have raised no objection to the proposed garage and note that ample parking is retained to the front of the dwelling. Adequate parking provisions have been provided for a dwelling of this size and scale.

In terms of the proposed new access, Thorpe Road is classed as a Secondary Distributor in the County's Route Hierarchy, as such planning permission is required for the new vehicular access. In addition an application to Essex Highways must be made to introduce a new vehicular access.

The highway authority have raised no objections to the proposal subject to mitigation and conditions. The suggested conditions have been included in the table below, along with the Local Planning Authority's justification for any amendments to or exclusions of these conditions.

Suggested Condition	Justification for amendment / exclusion
As indicated on drawing no. LS-0095-200 Rev. C, and prior to the first use of the new vehicular access, a size 5, (8m x 8m)	A condition will be imposed on any subsequent approval ensuring the works are carried out in

vehicular turning facility, shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose. Reason: To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety in accordance with policy DM1.	accordance with the approved plans submitted with this application. Therefore a further condition ensuring works adhere to the approved plans is not required. For the avoidance of doubt, the plans submitted with this application show adequate turning space to the front of the site. A condition will also be imposed on any subsequent approval to ensure this is retained and remains unobstructed for vehicle turning.
Prior to occupation of the development the vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 3.6 metres (equivalent to four drop kerbs), shall be retained at that width for 6 metres within the site and shall be provided with an appropriate vehicular crossing.	A condition will be imposed stating that the works must be in accordance with the approved plans submitted with this application. The proposed new access is shown to measure 5.7 metres wide on the plans submitted with this application. Therefore this suggested condition is not necessary as it will be covered by the approved plans condition.
Prior to the commencement of any alterations to the drop kerb the applicant/agent must comply with County Councils Vehicle Crossing criteria, details via the link: https://www.essexhighways.org/for-residents/vehicle-crossings-dropped-kerbs/vehicle-crossing-criteria and a formal application must be made to Essex Highways via the website. Reason: To ensure the necessary permissions are obtained from the Highway Authority and the proposal complies with the set criteria and in accordance with Policy DM1.	This condition is not enforceable by the local planning authority as it duplicates ECC's powers. It will therefore be included as an informative for the applicant's attention.

BNG & ECOLOGY

Habitats, Protected Species and Biodiversity Enhancement

Ecology and Biodiversity

General duty on all authorities

The Natural Environment and Rural Communities Act 2006 amended by the Environment Act 2021 provides under Section 40 the general duty to conserve and enhance biodiversity: "For the purposes of this section "the general biodiversity objective" is the conservation and enhancement of biodiversity in England through the exercise of functions in relation to England." Section 40 states authorities must consider what actions they can take to further the general biodiversity objective and determine policies and specific objectives to achieve this goal. The actions mentioned include conserving, restoring, or enhancing populations of particular species and habitats. In conclusion for decision making, it is considered that the Local Planning Authority must be satisfied that the development would conserve and enhance.

This development is subject to the general duty outlined above. An informative has been imposed strongly encouraging the applicant to improve the biodiversity of the application site through appropriate additional planting and wildlife friendly features. Therefore the development on balance, with consideration of the impact of the development and baseline situation on site, is considered likely to conserve and enhance biodiversity interests.

Biodiversity net gain

Biodiversity net gain (BNG) is an approach that aims to leave the natural environment in a measurably better state than it was beforehand. This excludes applications for householders this proposal is not therefore applicable for Biodiversity Net Gain.

Protected Species

In accordance with Natural England's standing advice the proposed development site and surrounding habitat have been assessed for potential impacts on protected species. It is considered that the proposal is unlikely to adversely impact upon protected species or habitats.

Biodiversity and Ecology Conclusion

In accordance with the overarching duty outlined above, this development is considered to accord to best practice, policy, and legislation requirements in consideration of the impacts on ecology interests.

Other Considerations

Little Clacton Parish Council have objected to this application due to the new access splays. However, The Highway Authority have raised no objections or concerns relating to highway safety. The proposed access visibility splays are therefore deemed acceptable.

No other letters of representation have been received.

Conclusion

The proposed development is consistent with the above mentioned national and local planning policies. In the absence of material harm the proposal is recommended for approval.

8. Recommendation

Approval - Full

9. Conditions / Reasons for Refusal

1 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

CONDITION: The development hereby permitted shall be begun not later the expiration of three years from the date of this permission.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

NOTE/S FOR CONDITION:

The development needs to commence within the timeframe provided. Failure to comply with this condition will result in the permission becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk Enforcement Action proceedings. You should only commence works when all other conditions requiring agreement prior to commencement have been complied with.

2 APPROVED PLANS & DOCUMENTS

CONDITION: The development hereby permitted shall be carried out in accordance with the drawings/documents listed below and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard (except for Listed Building Consents). Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved, or as necessary in accordance with any

successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

Drawing No. LS-VS02-0095-200 Revision A - VISIBILITY SPLAY ONLY
Drawing No. LS-0095-200 Revision C

REASON: For the avoidance of doubt and in the interests of proper phased planning of the development.

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

3 COMPLIANCE REQUIRED - VISIBILITY SPLAY

CONDITION: There should be no obstruction above ground level within a 2.4-metre-wide parallel band visibility splay as measured from and along the nearside edge of the carriageway across the entire site frontage (taken to be 1.5 metres in depth back into the site). Such vehicular visibility splays shall be provided before the new vehicular access is first used by vehicular traffic and retained free of any obstruction at all times.

REASON: To provide adequate inter-visibility between users of the access and the public highway in the interests of highway safety.

4 COMPLIANCE REQUIRED - SURFACE TREATMENT MATERIALS

CONDITION: No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

REASON: To avoid displacement of loose material onto the highway in the interests of highway safety.

5 COMPLIANCE REQUIRED - HIGHWAYS PROVISION OF VISIBILITY SPLAYS

CONDITION: Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

REASON: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely, and vehicles on the public highway would have sufficient warning of a vehicle emerging to take avoiding action.

6 COMPLIANCE REQUIRED; LOADING / UNLOADING AND STORAGE OF BUILDING MATERIALS

CONDITION; Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided clear of the highway.

REASON: To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety.

7 ON GOING REQUIREMENT: HIGHWAYS

CONDITION: Notwithstanding the provisions of the Town & Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) there shall be no gates/fence and/or other means of enclosure within five metres from the edge of the carriageway at the point of access. Any gates to be erected on site, shall only open into the site and not over any area of the public highway and/or the minimum distance stated.

REASON: In the interests of highway safety.

NOTE/S FOR CONDITION:

Carriageway is the part of a road intended for vehicles rather than pedestrians normally define by kerb if available or edge of a bound surface.

It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the ECC Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by Essex County Council or its agents at the applicant's expense.

8 ONGOING REQUIREMENT: HIGHWAYS TURNING SPACE

CONDITION: Prior to first use of the access the vehicle turning space shown on the hereby approved plans shall be provided in its entirety and shall then be retained in its approved form and used for no other purpose.

REASON: To enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety.

9 SPECIFIC RESTRICTION ON DEVELOPMENT: OCCUPATION

CONDITION: This permission shall only authorise the use and occupation of the garage hereby approved for purposes incidental and ancillary to the principal dwelling known as Crossways (or as may be renamed in the future) and does not permit the use of the approved garage as a separate household unrelated and not incidental/ancillary to the principal dwelling.

REASON: The proposal would not be acceptable under the established policies of Local Plan and NPPF by representing a net increase in dwelling units were the development to be occupied as an unrelated dwelling and not considered as one household. Furthermore,

having regard to its particular relationship with the principal dwelling, there is potential for noise, activity and disturbance detrimental to the amenity of that principal dwelling were the development to be occupied as an unrelated dwelling.

NOTE/S FOR CONDITION

Unless otherwise stated, this condition applies to the site outlined in red and to all new development that forms any net increase in residential accommodation and may include change of use of buildings, change of use of land for the siting of caravans or similar, new buildings and extensions.

10. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Highways Informative:

i) All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details must be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org

ii) The Initial Vehicle Crossing application costs £203.47. The fee is non-refundable and covers a site visit, a search of underground apparatus (i.e. gas, electric) and administration processes. If your application is approved an application to Implement by Road Opening Notice costs £150.00 and is payable by your chosen contractor. The vehicle crossing (dropped kerb) fees are non-Vatable.

iii) Under Section 23 of the Land Drainage Act 1991, prior written consent from the Lead Local Flood Authority (Essex County Council) is required to construct any culvert (pipe) or structure (such as a dam or weir) to control or alter the flow of water within an ordinary watercourse. Ordinary watercourses include ditches, drains and any other networks of water which are not classed as Main River.

If you believe you need to apply for consent, further information and the required application forms can be found at www.essex.gov.uk/flooding. Alternatively, you can email any queries to Essex County Council via watercourse.regulation@essex.gov.uk

Planning permission does not negate the requirement for consent, and full details of the work you propose will be required at least two months before you intend to start.

iv) The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

Prior to the commencement of any alterations to the drop kerb the applicant/agent must comply with County Councils Vehicle Crossing criteria, details via the link: <https://www.essexhighways.org/for-residents/vehicle-crossings-dropped-kerbs/vehicle-crossing-criteria> and a formal application must be made to Essex Highways via the website.

Reason: To ensure the necessary permissions are obtained from the Highway Authority and the proposal complies with the set criteria.

Biodiversity

In accordance with the Council's general duty to conserve and enhance biodiversity, you are strongly encouraged to improve the biodiversity of the application site through appropriate additional planting and wildlife friendly features. Suggested enhancements could include: <https://www.rhs.org.uk/wildlife/in-the-garden/encourage-wildlife-to-your-garden>

11. Equality Impact Assessment

In making this recommendation/decision regard must be had to the public sector equality duty (PSED) under section 149 of the Equality Act 2010 (as amended). This means that the Council must have due regard to the need in discharging its functions that in summary include A) Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act; B. Advance equality of opportunity between people who share a protected characteristic* (See Table) and those who do not; C. Foster good relations between people who share a protected characteristic* and those who do not, including tackling prejudice and promoting understanding.

It is vital to note that the PSED and associated legislation are a significant consideration and material planning consideration in the decision-making process. This is applicable to all planning decisions including prior approvals, outline, full, adverts, listed buildings etc. It does not impose an obligation to achieve the outcomes outlined in Section 149. Section 149 represents just one of several factors to be weighed against other pertinent considerations.

In the present context, it has been carefully evaluated that the recommendation articulated in this report and the consequent decision are not expected to disproportionately affect any protected characteristic* adversely. The PSED has been duly considered and given the necessary regard, as expounded below.

Protected Characteristics *	Analysis	Impact
Age	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Disability	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Gender Reassignment	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Marriage or Civil Partnership	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Pregnancy and Maternity	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Race (Including colour, nationality and ethnic or national origin)	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Sexual Orientation	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Sex (gender)	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Religion or Belief	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral

12. Notification of Decision

Are there any letters to be sent to applicant / agent with the decision? If so please specify:		NO
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Are there any third parties to be informed of the decision? If so, please specify:		NO
Has there been a declaration of interest made on this application?		NO